

Entered - 01/19/01 - sb  
CL01L0046 - DIANNE C. MITCHELL

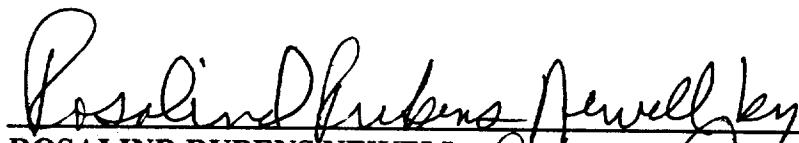
CLAIM OF: MACK SARFATY,  
through his attorney,  
Michael W. Higgins  
3333 Peachtree Road, NE  
Suite 230  
Atlanta, Georgia 30326

01- *R* -0276

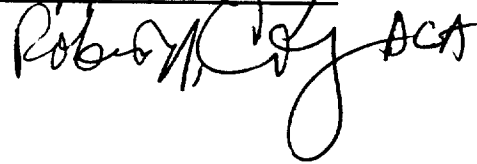
For damages alleged to have been sustained as a result of a personal  
injury on July 18, 2000 at the Atlanta Airport.

THIS ADVERSE REPORT IS APPROVED

BY:



ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

 R. M. Coy A.C.A.

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0046

Date: February 8, 2001

Claimant /Victim MACK SARFATY  
BY: (Atty)(Ins. Co.) Michael W. Higgins  
Address: 3333 Peachtree Road, NE, Suite 230, Atlanta, Georgia 30326  
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated  
Date of Notice: 01/04/01 Method: Written, proper X Improper     
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 07/18/00 Place: Atlanta Airport  
Department Aviation Division:     
Employee involved    Disciplinary Action:   

NATURE OF CLAIM: The claimant alleges he was injured on an escalator at the Atlanta Airport. The claim has been forwarded to the City's insurance carrier, AIG Aviation, for handling. The claimant's attorney has been advised of this action.

INVESTIGATION:

Statements: City employee    Claimant    Others    Written    Oral     
Pictures    Diagrams    Reports: Police    Dept Report    Other     
Traffic citations issued: City Driver    Claimant Driver     
Citation disposition: City Driver    Claimant Driver   

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial     
Improper Notice    More than Six Months    Other X Damages reasonable     
City not involved    Offer rejected    Compromise settlement     
Repair/replacement by Ins. Co.    Repair/replacement by City Forces     
Claimant Negligent    City Negligent    Joint    Claim Abandoned   

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$    Adverse X Account charged: 1A01    2J01    2H01     
Claims Manager: Michael W. Higgins Concur/date 02-08-01  
Committee Action:    Council Action

**HIGGINS & DUBNER**  
ATTORNEYS AT LAW  
ATLANTA FINANCIAL CENTER  
3333 PEACHTREE ROAD, N.E.  
SUITE 230  
ATLANTA, GEORGIA 30326

MICHAEL W. HIGGINS

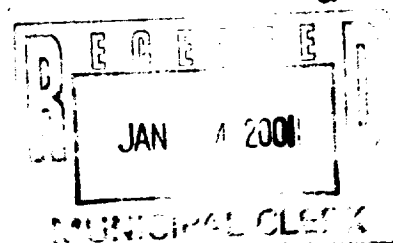
January 4, 2001

TELEPHONE (404) 264-1011  
TELECOPIER (404) 264-1044

ENTERED - 1-19-01 - SB  
01L0046 - DIANNE MITCHELL

VIA HAND DELIVERY

Mayor and Counsel of  
The City of Atlanta  
c/o Municipal Clerk  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30303



Re: Our client: Mack Sarfaty  
AIG Aviation, Inc.  
Claim No. L001193  
Date of Loss: July 18, 2000

01-04-01000000

Dear Mayor Campbell and Members of the City Counsel:

This writer in this law firm represent Mr. Mack Sarfaty in connection with his claims against the City of Atlanta and or the Atlanta Airline Terminal Corporation and/or others arising out of injuries he sustained on July 18, 2000 on account of a malfunctioning escalator.

On July 18, 2000 (at approximately 1:00 A.M.) our client was riding on one of main exit escalators rising from Le Saint Amour, LLC., Angeline Eriksen and Noelle Thomas in connection with the above-referenced arbitration matter. Please forward all notices, awards and other documents in this case to us.

You will find enclosed, as a separate document, the Answer and Statement (original and duplicate) of the those Respondents.

Together with a copy of this letter, we are also serving that Answer and Statement upon opposing counsel.

As concerns of the place of the arbitration, we note that in informal paperwork the Plaintiff has requested that arbitration take place at the Candler Building, 127 Peachtree Street. Our clients object to this location because it is inconvenient, has no parking and is otherwise an inadequate facility. The Respondents request that the arbitration take place at the office of the American Arbitration Association, 1100 Century Parkway, Suite 300, Atlanta, GA 30345-3203.

Matthew G. Duncan  
January 4, 2001  
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With kindest personal regards, we are,

Very truly yours,

HIGGINS & DUBNER



Michael W. Higgins

MWH/smf

cc: Paul D. Herman, Esq.

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